

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 18 - 23 and 32 - 41 are pending in the application. Currently, all pending claims stand rejected.

By the present amendment, claims 34 and 39 have been amended.

In the office action mailed March 11, 2009, claims 18 - 23, 32 - 34, and 39 - 41 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S.P. 6,839,936 to Haghiri-Tehrani et al.; claims 35 - 37 were rejected under 35 U.S.C. 103(a) as being unpatentable over Haghiri-Tehrani et al. in view of U.S.P. 6,600,420 to Goff et al.; and claim 38 was rejected under 35 U.S.C. 103(a) as being unpatentable over Haghiri-Tehrani et al. in view of U.S. Patent Publication No. 2002/0044096 to Chung.

The foregoing rejections are traversed by the instant response.

Claim 39 as amended herein is directed to a detector of articles comprising a contactless label of the RFID type, said detector also comprising: a card having two faces and a plurality of sides perpendicular to each of said two faces; said card having at least one antenna for projecting a magnetic field along at least one of said sides sufficient to power another element; said at least one antenna being formed of N loops and M turns wherein M and N are integers greater than or equal to 1; a plurality of substrate layers; each of said substrate layers having at least one electrical conductor segment; said at least one antenna being formed by the at least one electrical conductor segment on a first one of said substrate layers lying in a first plane and being joined to the at least one electrical conductor segment on a second one of said

substrate layers to form one of said turns; and wherein the at least one electrical conductor segment on the second one of said substrate layers lies in a second plane said second plane is not coplanar with said first plane.

In order to anticipate a claim, a reference must contain each and every limitation set forth in the claim either expressly or inherently. It is submitted that claim 39 as amended herein is not anticipated by U.S. Patent No. 6,839,963 to Haghiri-Tehrani et al. Most notably, the Haghiri-Tehrani et al. reference is not directed to a detector of articles comprising a contactless label of the RFID type. Further, there is no disclosure of a card having two faces and a plurality of sides perpendicular to each of said two faces, which card has at least one antenna for projecting a magnetic field along at least one of said sides sufficient to power another element. In fact, there is no disclosure in the cited reference of the coil (3) formed by the layers (9, 17) being used as an antenna. An antenna is a metallic apparatus for sending or receiving electromagnetic waves. There is no disclosure in Haghiri-Tehrani et al. that coil (3) is used to send or receive electromagnetic waves. Further, there is no disclosure in Haghiri-Tehrani et al. that a magnetic field is propagated along at least one of said sides which is sufficient to power another element.

Claim 39 also brings to light that the detector of the present invention comprises a plurality of substrate layers with each layer comprising one segment with each segment being a part of a turn. In figure 2, these turns are shown as being piled up (items 8 - 11; segment 12) in order to obtain a narrow beam for the reading of one tag (RFID) when this tag is very close to another tag (that is explained in paragraphs [0019], [0044] and [0045]. The current invention has no layer containing a turn. All layers contain only a partial turn or a segment. Haghiri-Tehrani et al. teaches a layer

containing at least one turn. Further, in the present invention, the completed antenna is not symmetrical, one side of the antenna has conductors which are stacked above each other or are in a common plane, which plane is perpendicular to the face, while the other sides have conductors which are in a common plane, which plane is parallel with a face. Haghiri-Tehrani et al. teaches stacks of similar turns.

For these reasons, claim 39 is believed to be allowable over the Haghiri-Tehrani et al. reference.

Claims 18 - 23, 32 - 38, and 40, 41 are allowable for the same reasons as claim 39 as well as on their own accord. The Goff and Chung references do not cure the aforementioned deficiencies of Haghiri-Tehrani et al. and do not render the claimed invention obvious.

For the foregoing reasons, the instant application is in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, the Examiner is hereby invited to contact Applicant's attorney at the telephone number listed below.

A notice of appeal and a three month extension of time is enclosed herewith. The Director is hereby authorized to charge the notice of appeal fee in the amount of \$540.00 and the extension of time fee in the amount of \$1,110.00 to Deposit Account No. 02-0184.

Should the Director determine that any additional fees are required in connection with this response, he is hereby authorized to charge said fees to Deposit Account No. 02-0184.

Respectfully submitted,
Philippe Martin

By/Barry L. Kelmachter #29999/

Barry L. Kelmachter
Attorney for Applicant
Reg. No. 29,999
Tel: (203) 777-6628
Fax: (203) 865-0297
Email: docket@bachlap.com

Date: September 10, 2009